



PLANNING DIRECTOR'S HEARING AGENDA

WEDNESDAY, MARCH 14, 2007

9:00 a.m.
City Council Chambers
City Hall

200 East Santa Clara Street
San Jose, California 95113-1905

Hearing Officers

Susan Walton, Principal Planner

Mike Enderby, Acting Principal Planner

**Joseph Horwedel, Director
Planning, Building, and Code Enforcement**

NOTE

To arrange an accommodation under the Americans with Disabilities Act to participate in this public meeting, we ask that you call (408) 535-7800 (VOICE), 294-9337 (TTY) at least two days, (48 hours) before the meeting. If you requested such an accommodation and have not already identified yourself to the technician seated at the staff table, please do so now. If you did not call in advance and do now need assistance, please see the technician.

NOTICE TO THE PUBLIC

Good morning, this is the Planning Director's Hearing of **March 14, 2007**. My name is _____ and I am the Hearing Officer for today's agenda. On behalf of the Planning Director, I would like to welcome you to this Public Hearing. Please remember to turn off all cell phones and pagers. A copy of the agenda is available on the table by the door for your convenience. A validation machine is available up the stairs at the rear of these chambers for parking tickets for the garage underneath City Hall.

The procedure for this hearing is as follows:

- Hearing Officer will identify the project as described on the agenda
- Staff report
- After the staff report, applicant and/or representative will have up to 5 minutes to speak and should make themselves known as their item comes up by approaching the microphone and identifying themselves and stating their home address, or just wave from the audience if you do not wish to speak
- Public testimony of up to 2 minutes, either for or against the project. Please state name and home address for the record
- After the public testimony, the applicant may make closing remarks of up to 5 minutes
- The Hearing Officer may ask questions of the speaker
- The public hearing will then be closed and the Hearing Officer will take action on the item. The Hearing Officer may request staff to respond to the public testimony, ask staff questions, and discuss the item

If you challenge these land use decisions in court, you may be limited to raising only those issues you or someone else raised at this public hearing or in written correspondence delivered to the City at, or prior to, the public hearing.

The Planning Director's action on these agenda items is final when the permit is signed and mailed, unless the permit is appealed. The Planning Director's actions are appealable in accordance with the requirements of Title 20 of the Municipal Zoning Code.

Note: If you have any agenda changes, please contact Xochitl Lopez (xochitl.lopez@sanjoseca.gov).

AGENDA

ORDER OF BUSINESS

1. DEFERRALS

Any item scheduled for hearing this morning for which deferral is being requested will be taken out of order, to be heard first on the matter of deferral. A list of staff recommended deferrals is available on the table. I will identify the items to be deferred and then ask for comments from the audience. If you want to change any of the deferral dates recommended or speak to the question of deferring these or any other items, you should say so at this time. I will now open the public hearing. The following items are proposed to be deferred.

The matter of deferrals is now closed.

2. CONSENT CALENDAR

NOTICE TO THE PUBLIC

The consent calendar items are considered to be routine and will be considered together. There will be no separate discussion of these items unless a request is made by the Director of Planning, staff, or the public to have an item removed from the consent calendar and considered separately. If anyone in the audience wishes to speak on one of these items, please come to the podium at this time.

- a. **PDA91-006-75. Planned Development Permit Amendment** to construct one single-family detached residence on a 0.8 gross acre site in the A(PD) Planned Development Zoning District, located at/on the west side of Hollow Lake Way, approximately 500 feet south of Quail Crest Way (7007 HOLLOW LAKE WY) (Hmc Lp, Owner). Council District 10. SNI: None. CEQA: Use of Country View Estates Final EIR.
(Project Manager: Michelle Stahlhut)
- b. **TR07-021. Tree Removal Permit** to authorize the previously unpermitted removal of one Modesto Ash tree measuring 60 inches in circumference from the rear of the property in the R-1-8 Single-Family Residence Zoning District, located on the northwest side of Arbor Valley Drive, approximately 350 feet southwesterly of Muscat Drive (235 Arbor Valley Drive). Council District 2. CEQA: Exempt
(Project Manager: Reena Mathew)
- c. **TR07-024. Tree Removal Permit** to remove one oak tree, approximately 65 inches in circumference, in the front yard of a single-family residence in the R-1-8 Single-Family Residence Zoning District, located on the west side of Fairoak Court, approximately 100 feet northerly of Fairlawn Avenue (2441 Fair Court) (Jeanne Thomas, Owner). Council District 9. CEQA: Exempt.
(Project Manager: Reena Mathew)

- d. **SP06-087. Special Use Permit** to expand a legal nonconforming single-family residence by replacing an existing one-car detached garage with a 646 square foot two-car detached garage on a 0.12 gross acre site in the LI Light Industrial Zoning District, located on the northeast corner of Chestnut Street and University Street (856 Chestnut Street) (Mohammad Sami, Owner). Council District 3. SNI: None. CEQA: Exempt.
(Project Manager: Steve Rosen)
- e. **TR07-029. Tree Removal Permit** to remove one Magnolia Graniflora tree, 87.6 inches in circumference in the R-1-8 Single-Family Residence Zoning District, located on the east side of Gundersen Drive, approximately 200 feet north of Curtner Avenue (2346 Gundersen Drive) (Marie A. Wheeler, Owner). Council District 6. CEQA: Exempt.
(Project Manager: Rachel Roberts)
- f. **TR07-031. Tree Removal Permit** for the removal of one evergreen tree, 77 inches in circumference, in the front yard of a property located in the R-1-8(PD) Planned Development Zoning District on the southwest side of Via Colina , 100 feet northwest of Avenida Grande (7193 Via Colina) (Dana Weisshaar, Owner). Council District 2. CEQA: Exempt
(Project Manager: Rachel Roberts)
- g. **TR07-017. Tree Removal Permit** to remove one Locust tree, 117 inches in circumference, from the front yard of a single family lot in the R-1-8 Single-Family Residence Zoning District, located at the Northwest corner of Tillman Avenue and Hanchett Avenue (1305 Hanchett Avenue) (Amy Pearce, Owner). Council District 6. CEQA: Exempt
(Project Manager: Rachel Roberts)
- h. **PD07-012. Planned Development Permit** to allow commercial and indoor recreation uses in an existing building in the A (PD) Planned Development Zoning District, located at the northeasterly corner of Monterey Road and Phelan Avenue (Caputo Associates). Council District 7. SNI: None. CEQA: Exempt.
(Project Manager: Jeff Roche)

The consent calendar is now closed.

3. PUBLIC HEARING

- a. **SP06-027. Special Use Permit** to construct 1,228 square foot office building for a recycling facility and to allow associated outdoor storage area on a 1.26 gross acre site in the LI Light Industrial Zoning District, located at/on the south side of Mabury Road, approximately 300 feet westerly of Lenfest Road (Rodriguez Rafael Et Al, Owner). Council District 3. SNI: None. CEQA: Exempt.
DROPPED
(Project Manager: Michelle Stahlhut)

- b. **HA85-216-01. Site Development Permit Amendment** to allow the addition of 1,241 square feet, along with exterior modifications and site improvements for an existing fast food restaurant on a 0.35 gross acre site in the CP Pedestrian Commercial Zoning District, located on the north side of Stanwood Drive, approximately 200 feet easterly of Kooser Road (Harman Management-Corp, Owner). Council District 9. SNI: None. CEQA: Exempt. (Project Manager: Suparna Saha)

- c. **SP06-034. Special Use Permit** to construct a 2,723 square foot mixed-use project with commercial uses on the first floor and residential use on the second floor on a 0.14 gross acre site in the CN Neighborhood Commercial Zoning District, located on the east side of Grand Avenue, approximately 500 feet south of Park Avenue (278 GRAND AVE) (Michael C. Ybarra, Owner). Council District: 6. SNI: Burbank/Del Monte. CEQA: Exempt. (Project Manager: Hadasa Lev)

This concludes the Planning Director's Hearing for March 14, 2007. Thank you.

PLANNING DIRECTOR'S AGENDA ON THE WEB:
<http://www.sanjoseca.gov/planning/hearings/default.asp>
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